



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3476

Introduced 2/23/2005, by Rep. Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

New Act

Creates the State Apprenticeship and Training Act. Creates the Apprenticeship and Training Council to develop sound apprenticeship training standards and to encourage industry and labor to institute training programs. Establishes the powers and duties of the Council. Provides that the Council shall establish the standards for the certification of the competence of individuals as journeymen in the various building, craft or other skilled trades. Provides that apprenticeship committees may be approved in any trade or group of trades, or in municipalities, regions of the State, or trade areas, by the Council whenever the apprentice training needs of such trade or group of trades in such localities justify such establishment. Provides that certain information shall be contained in an apprenticeship agreement. Provides that the provisions of the Act shall, in regard to apprenticeship and training programs, apply to a person, firm, corporation or craft only after such person, firm, corporation or craft has voluntarily elected to conform with the provisions of the Act.

LRB094 09164 RXD 39396 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the State
5 Apprenticeship and Training Act.

6 Section 5. Legislative findings. Skilled manpower
7 constitutes a great resource in this State. Apprenticeship
8 programs, through supervised training and education, develop
9 skilled craftsmen and help meet the increasing needs for such
10 workers in the State's labor force. The continuing development
11 of skilled manpower is essential for individual
12 self-realization and for an expanding industrial economy. To
13 these ends, it is the declared public policy of the State to
14 develop sound apprenticeship training standards and to
15 encourage industry and labor to institute training programs.

16 Section 10. Definitions: In this Act:

17 "Apprenticeship agreement" means (i) an individual written
18 agreement between an employer and an apprentice, (ii) a written
19 agreement between an employer or an association of employers
20 and an organization of employees describing conditions of
21 employment for apprentices, or (iii) a written statement
22 describing conditions of employment for apprentices in a plant
23 or plants where there is no bona fide employee organization.

24 Section 15. Apprenticeship and Training Council.

25 (a) The Apprenticeship and Training Council is created to:

26 (1) encourage and promote the making of apprenticeship
27 agreements conforming to the standards established under
28 this Act;

29 (2) establish suggested standards for apprenticeship
30 agreements in conformity with the provisions of this Act;

1 (3) supervise the execution of apprenticeship
2 agreements and maintenance of standards;

3 (4) register approved apprenticeship agreements, and
4 upon performance, issue certificates of completion of
5 apprenticeship;

6 (5) settle differences arising out of apprenticeship
7 agreements when such differences cannot be adjusted
8 locally or in accordance with established trade procedure;

9 (6) terminate or cancel any apprenticeship agreement
10 in accordance with the provisions of such agreement;

11 (7) encourage and promote the hiring by any trade or
12 group of trades of persons who are on parole, in order to
13 aid in the rehabilitation of such persons;

14 (8) study and disseminate information on
15 apprenticeship training, trends of employment
16 opportunities in various trades, the impact of
17 technological change on skill levels and requirements, the
18 supply of and needs for skilled manpower, and related
19 matters;

20 (9) cooperate with the federal government, the State
21 Board of Education, the Department of Commerce and Economic
22 Opportunity, the Department of Labor, the Department of
23 Financial and Professional Regulation, and other agencies,
24 public and private, in the State;

25 (10) adopt such rules and regulations as may be
26 necessary for the effective administration of this Act; and

27 (11) perform such other duties as may be necessary to
28 give full effect to the policies of the State and the
29 provisions of this Act.

30 (b) The Governor shall appoint an Apprenticeship and
31 Training Council composed of 7 persons, 6 of whom shall be
32 selected from employer and employee organizations on an equal
33 basis, and one of whom shall be a person from the general
34 public and serve as the chairman. The Council by majority vote
35 may designate one of its members, other than the chairman, as
36 vice-chairman to act in the absence or inability of the

1 chairman. Each member shall be appointed within 90 days after
2 the effective date of this Act for a term of 3 years. Each
3 member shall hold office until his successor is appointed and
4 qualified, and any vacancy shall be filled by appointment for
5 the unexpired portion of the term. The Superintendent of the
6 State Board of Education, the Director of the Department of
7 Commerce and Economic Opportunity, the Director of the
8 Department of Labor, and the Secretary of the Department of
9 Financial and Professional Regulation shall be ex officio
10 members of the Council. The members of the Council shall be
11 entitled to compensation at a rate of \$60 a day for each
12 meeting called by the chairman and shall be reimbursed for
13 transportation and other expenses actually and necessarily
14 incurred in the performance of their duties under this Act. The
15 Council shall appoint an executive secretary who shall be in
16 charge of apprentice training and who shall act as secretary of
17 the Council and of apprenticeship committees. The executive
18 secretary shall be authorized to appoint such clerical,
19 technical and professional assistants as necessary to
20 effectuate the purposes of this Act. The personnel appointed
21 under this Act shall receive an annual compensation to be fixed
22 by the Council within the amount provided by appropriation.

23 (c) The Council shall:

24 (1) advise the Governor on apprentice training
25 matters, including the matters of related and supplemental
26 instruction;

27 (2) recommend suggested standards for apprenticeship
28 agreements;

29 (3) maintain a close and effective liaison with
30 governmental and nongovernmental agencies which are
31 concerned with skilled manpower development and problems;

32 (4) recommend research projects on facts and trends
33 relating to apprenticeship training and the supply of and
34 needs for skilled manpower; and

35 (5) coordinate related and supplemental instruction
36 for apprentices with job experience and select teachers and

1 coordinators for such instruction.

2 (d) The Council is authorized and directed, in conjunction
3 with the State Board of Education, the Department of Commerce
4 and Economic Opportunity, the Department of Labor, and the
5 Department of Financial and Professional Regulation, to
6 formulate and promote apprenticeship programs funded solely by
7 State appropriation, for individuals not otherwise eligible
8 for training under this Act. In order to develop such programs,
9 the Council shall have all such powers and duties provided by
10 this Act and shall have the authority to pattern apprenticeship
11 and training programs after those otherwise established under
12 this Act.

13 (f) Within 180 days after the effective date of this Act,
14 the Council shall establish by rule, in cooperation with the
15 Department of Financial and Professional Regulation, standards
16 for the certification of the competence of individuals as
17 journeymen in the various building, craft or other skilled
18 trades. Upon compliance with the provisions of the Illinois
19 Administrative Procedure Act, the Council shall have the
20 authority to issue certificates of competence to individuals or
21 journeymen in any of the skilled trades. The standards
22 promulgated by the Council shall emphasize demonstrated
23 ability and competence by providing for uniform and
24 comprehensive examinations which will test the individual's
25 knowledge, qualifications and manual skills in the various
26 skilled trades, and his or her knowledge of minimum building
27 code standards if germane to the trade for which the individual
28 is examined.

29 Section 20. Apprenticeship committees. Apprenticeship
30 committees may be approved in any trade or group of trades, or
31 in municipalities, regions of the State or trade areas, by the
32 Council whenever the apprentice training needs of such trade or
33 group of trades in such localities justify such establishment.
34 The apprenticeship committees shall be composed of an equal
35 number of employer and employee representatives chosen from

1 names submitted by the respective local or State employer and
2 employee organizations in such trade or group of trades, and
3 such additional members representing local boards of education
4 or other educational agencies as may be deemed advisable. In a
5 trade or group of trades in which there is no bona fide
6 employer or employee organization the committee shall be
7 composed of persons known to represent the interests of
8 employers and of employees respectively, or the Council may act
9 as the committee in such trade or group of trades. Subject to
10 the review of the Council, such committees may devise standards
11 for apprenticeship agreements and give such aid as may be
12 necessary in their operation, in their respective trades and
13 localities.

14 Section 25. Apprenticeship agreements. Apprenticeship
15 agreements shall contain the following:

16 (1) A statement of the trade or craft to be taught and
17 the required hours for completion of apprenticeship which
18 shall be not be less than 4000 hours of reasonably
19 continuous employment;

20 (2) A statement of the processes in the trade or craft
21 divisions in which the apprentice is to be taught and the
22 approximate amount of time to be spent at each process;

23 (3) A statement of the number of hours to be spent by
24 the apprentice in work and the number of hours to be spent
25 in related and supplemental instruction, which instruction
26 shall not be less than 144 hours per year;

27 (4) A statement that apprentices shall not be under the
28 age of 16;

29 (5) A provision that apprentices shall be selected on
30 the basis of qualifications alone, as determined by
31 objective criteria which permit review, and without any
32 direct or indirect limitation, specification or
33 discrimination as to sex, race, creed, color or national
34 origin;

35 (6) A statement of the progressively increasing scale

1 of wages to be paid the apprentice;

2 (7) A provision for a period of probation during which
3 the Council shall be directed to terminate an
4 apprenticeship agreement, at the request in writing, of any
5 party to the agreement. After the probationary period the
6 Council shall be empowered to terminate the registration of
7 an apprentice upon agreement of the parties;

8 (8) A provision that the services of the Department of
9 Labor may be utilized for consultation regarding the
10 settlement of differences arising out of the
11 apprenticeship agreement where such differences cannot be
12 adjusted locally or in accordance with the established
13 trade procedure;

14 (9) A provision that if an employer is unable to
15 fulfill his or her obligation under the apprenticeship
16 agreement he or she may transfer such obligation to another
17 employer; and

18 (10) Such additional standards as may be prescribed
19 under this Act.

20 Section 30. Application. The provisions of this Act shall,
21 in regard to apprenticeship and training programs, apply to a
22 person, firm, corporation or craft only after such person,
23 firm, corporation or craft has voluntarily elected to conform
24 with the provisions of this Act.